

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

EARNEST DE GUNIA, Personal Representative of the Estate of John L. DeGunia , Deceased

Plaintiff,

VS.

UNITED STATES OF AMERICA,

Defendant.

7:04CV5022

ORDER

Upon notice of settlement given to the magistrate judge on July 15, 2005 by counsel for the defendant,

IT IS ORDERED that:

1. The parties shall file a joint stipulation for dismissal (or other dispositive stipulation) with the clerk of the court which will fully dispose of the case **on or before July 15, 2005**. If the case is being dismissed, the stipulation shall comply with Fed. R. Civ. P. 41(a)(1)(ii) and shall state whether the dismissal is with or without prejudice.
2. Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice in accordance with NECivR 68.1.
3. The deadline for filing a Rule 26(f) report previously scheduled is cancelled upon the representation that this case is settled.

DATED this 16th day of July, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge